

06/27/01
11064 U.S. PTO

06-29-01

A/plant

Please type a plus sign (+) inside this box → ☐

PTO/SB/19 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Named Inventor

Roger D. Way

Title

'NewFane Cherry'

Express Mail Label No.

EF 170369651 US

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 9]
(2 copies required - 37 CFR 1.163(b)
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Latin name of genus and species
 - Variety denomination
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim (only one (1) permitted MPEP 1605)
 - Abstract of the Disclosure
4. ☒ Color drawing(s) [Total Sheets 4]
(2 copies required - 37 CFR 1.165(b))
5. Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☒ Assignment Papers (cover sheet & document(s))
 8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
 9. ☐ English Translation Document (if applicable)
 10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
 11. ☐ Preliminary Amendment
 12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 13. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 14. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.
 15. ☐ Other:
- Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____

Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name

International Plant Management, Inc.

Address

55826 60th Avenue

City

Lawrence

State

MI

Zip Code

49064

COUNTRY

USA

Telephone

800-424-2765

Fax

616-674-3758

Name (Print/Type)

Wanda Heuser Gale

Registration No. (Attorney/Agent)

Signature

Wanda Heuser Gale

Date

6/27/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11064 U.S. PTO

09/894352

06/27/01

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 285.00

Complete if Known

Application Number

Filing Date

First Named Inventor

Roger D. Way

Examiner Name

Group Art Unit

Attorney Docket No.

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ 245-

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description
Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims
over original patent

110 18 210 9 ** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40-
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40-

SUBMITTED BY

Name (Print/Type)

Wanda Heuser Gale

Registration No.
(Attorney/Agent)

Telephone

Signature

Wanda Heuser

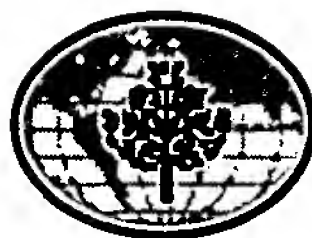
Date

06/27/01

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**INTERNATIONAL
PLANT
MANAGEMENT, INC.**



June 27, 2001

Honorable Commissioner for Patents and Trademarks
Box: Patent Application
Washington, D.C. 22031

Dear Sir:

Enclosed please find the following plant patent application papers:

Applicant # 1, Name: Roger D. Way.

Title: 'Newfane Cherry' Cultivar

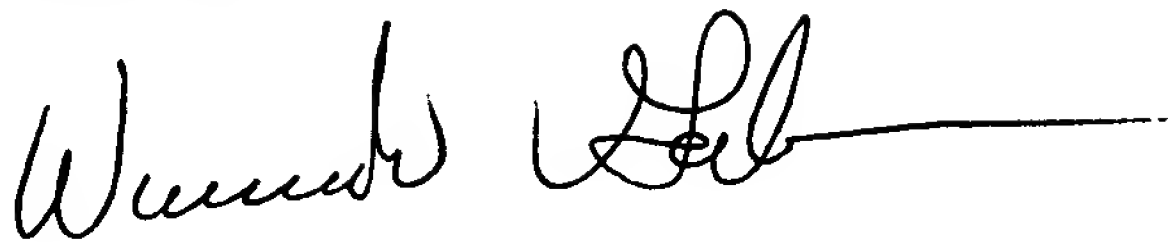
- Specification, Claims and abstract: Number of sheets: 9
- Drawings, Number of sheets: 2
- Declaration
- Assignment enclosed with cover sheet and recordal fee; please record and return.
- Fee Transmittal Form
- Check for \$ 285.00 for
 - \$245.00 for filing fee
 - \$40.00 additional for Assignment
- Return Receipt Postcard address to Assignee

Please address all correspondence to:

Wanda Heuser Gale
International Plant Management
55826 60th Avenue
Lawrence, MI 49064
800-424-2765
Fax 616-674-3758

01094352-062701
FOI 2290 25215850

Sincerely,




Wanda Heuser Gale
International Plant Management

Express Mail Label # EF 170369651 US

Date of Deposit: June 27, 2001

I hereby certify that this paper and fee is being deposited with the United States Postal Service using "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and is addressed to "Honorable Commissioner for Patents and Trademarks, Box: Patent Application, Washington, D.C. 22031."

Signed: 

090400-062704